



UNITED STATES PATENT AND TRADEMARK OFFICE

STREIB  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/777,192	02/13/2004	Takenobu Kobayashi	00684.003585

5514  
FITZPATRICK CELLA HARPER & SCINTO  
30 ROCKEFELLER PLAZA  
NEW YORK, NY 10112



CONFIRMATION NO. 7532

FORMALITIES LETTER



\*OC000000015126255\*

Date Mailed: 02/08/2005

**NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**

**FILED UNDER 37 CFR 1.53(b)**

***Filing Date Granted***

**Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
130.00 DP  
04/12/2005 MBYEYNE1 00000075 10777192  
01 FC:1051 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

*JULY 1 1977*  

---

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

00684.003585



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Takenobu KOBAYASHI, et al. ) Examiner: Unassigned  
Application No.: 10/777,192 ) Group Art Unit: 2621  
Filed: February 13, 2004 ) Confirmation No.: 7532  
For: SURFACE POSITION MEASURING ) April 8, 2005  
METHOD AND APPARATUS :  
)

**Mail Stop Missing Parts**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ATTENTION: APPLICATION PROCESSING DIVISION, SPECIAL  
PROCESSING AND CORRESPONDENCE BRANCH**

RESPONSE TO NOTICE TO FILE MISSING  
PARTS OF NONPROVISIONAL APPLICATION

Sir:

In response to the NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION mailed February 8, 2005, enclosed please find an  
executed Declaration/Power of Attorney form, together with the surcharge fee of \$130.00.  
Also enclosed is a copy of the NOTICE TO FILE MISSING PARTS OF  
NONPROVISIONAL APPLICATION.

The Commissioner is authorized to charge any additional fees or credit any  
overpayment to Deposit Account No. 06-1205. A duplicate of this paper is attached for  
that purpose.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



\_\_\_\_\_  
Attorney for Applicants  
Daniel S. Glueck  
Registration No. 37,838

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-3800  
Facsimile: (212) 218-2200

DC\_MAIN 199061v1